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14 Attorneys for Plaintiffs

15  
16 UNITED STATES DISTRICT COURT  
17 District of Nevada

18 **In re:** ) Case No. 2:07-CV-892-RCJ-GWF-BASE  
19 **USA COMMERCIAL MORTGAGE** ) and  
20 **COMPANY,** ) Case No. 3:07-CV-241-RCJ-GWF  
21 **Debtor.** )  
22 **3685 SAN FERNANDO LENDERS, LLC, et al.,** ) **ORDER SETTING SUPERSEDEAS BOND**  
23 **Plaintiffs,** ) **AMOUNTS TO STAY EXECUTION OF**  
24 **v.** ) **JUDGMENT PENDING APPEAL**  
25 **COMPASS USA SPE LLC, et al.,** )  
26 **Defendants.** )  
27 )

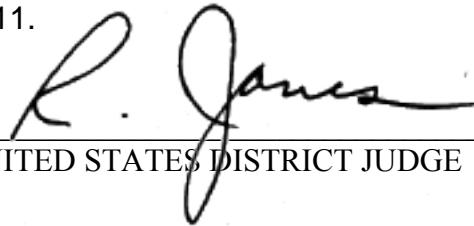
28 Defendants Silar Advisors, LP and Silar Special Opportunities Fund, LP (together, "Silar"),  
as well as Compass USA SPE, LLC, Compass Partners, LLC, Boris Piskun, and David Blatt

1 (together, the "Compass Defendants"), separately moved to set the amounts of the supersedeas  
2 bonds that they each would be required to post to obtain a stay of execution of the judgment pending  
3 appeal. The Court having reviewed the pleadings and papers on file and received the arguments of  
4 counsel on the record at the hearing held August 24, 2011, and good cause appearing,  
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6 **IT IS HEREBY ORDERED** that in order to obtain a stay of execution of the judgment  
7 pending appeal pursuant to Federal Rule of Civil Procedure 62(d), Silar is required to deposit in the  
8 registry of the Court a cash-only bond in the total amount of \$5 million. Alternatively, Silar may file  
9 with the Court a surety supersedeas bond in the total amount of its portion of the final judgment  
10 (\$5,570,639.04, plus additional prejudgment interest of \$7.075 daily from July 1, 2011, through the  
11 entry of judgment), plus postjudgment interest on that amount for three years, plus \$100,000 for  
12 Plaintiffs' costs on appeal (of which \$5,000 is for Plaintiffs' appellate costs and expenses, and  
13 \$95,000 is for Plaintiffs' appellate attorneys' fees).  
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15 **IT IS FURTHER ORDERED** that in order to obtain a stay of execution of the judgment  
16 pending appeal pursuant to Federal Rule of Civil Procedure 62(d), the Compass Defendants are  
17 required either to deposit in the registry of the Court a cash-only bond, or to file with the Court a  
18 surety supersedeas bond, in the total amount of their portion of the final judgment (\$3,391,496.14,  
19 plus additional prejudgment interest of \$4.677 daily from July 1, 2011, through the entry of  
20 judgment), plus postjudgment interest on that amount for three years, plus \$100,000 for Plaintiffs'  
21 costs on appeal (of which \$5,000 is for Plaintiffs' appellate costs and expenses, and \$95,000 is for  
22 Plaintiffs' appellate attorneys' fees).  
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24 DATED: This 5th day of October, 2011.  
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UNITED STATES DISTRICT JUDGE  
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